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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,289	09/25/2003	Theodorus Henricus Gerardus Maria Peters	903-86	1500

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HOFFMANN & BARON, LLP  
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SYOSSET, NY 11791

EXAMINER
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MRUK, GEOFFREY S

ART UNIT	PAPER NUMBER
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2853

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/05/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/671,289

Applicant(s)

PETERS ET AL.

Examiner

Geoffrey Mruk

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8 and 10-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Taguchi (7,052,534).

With respect to claim 1, Taguchi discloses a method for printing a substrate with ink drops according to the "drop-on-demand" principle (Column 1, lines 16-26, i.e. droplets), which substrate is provided with a polymeric ink-receiving layer (Column 28, lines 26-32), using an ink jet printing device, the printhead of which is provided with a piezo element for generating ink drops (Column 1, lines 16-18), the method comprising the steps of supplying the substrate (Column 28, lines 3-4), generating ink drops and depositing the generated ink drops on the substrate (Column 28, line 17), wherein the ink from which the ink drops are formed, has an ink composition which comprises a water-soluble dye (Column 14, lines 21-29), water (Column 36, lines 28-29), a lower alcohol (Column 18, line 43 – Column 19, line 3) and humectant (Column 20, lines 31-35), wherein the lower alcohol content is 5-30% by weight (Column 17, lines 62-65), and

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wherein the ink composition has a viscosity greater than 3cP (Column 24, line 66 – Column 25, line 6).

With respect to claim 2, Taguchi discloses the lower alcohol is selected from the group consisting of monohydric alcohols having 1-4 carbon atoms (Column 18, line 45, i.e. isopropanol).

With respect to claim 3, Taguchi discloses the lower alcohol comprises isopropanol (Column 18, line 45).

With respect to claim 4, Taguchi discloses the humectants comprise one or more polyhydric alcohols, polyethylene glycols, or polypropylene glycols (Column 18, line 47-49). The examiner makes of record that Taguchi discloses "Additionally, these water-miscible organic solvents may be used as combinations of two or more thereof" (Column 19, lines 2-3).

With respect to claim 5, Taguchi discloses the humectant to lower alcohol weight ratio is between 0.10 and 1.50 (Example 2).

With respect to claim 6, Taguchi discloses the lower alcohol to water weight ratio is between 0.08 and 0.6 (Column 17, lines 62-65).

With respect to claim 7, Taguchi discloses the substrate comprises a polymeric ink-receiving layer made from a swelling polymer (Column 28, lines 26-59).

With respect to claim 8, Taguchi discloses the ink composition comprises a water-soluble dye (Column 14, lines 21-29), water (Column 36, lines 28-29), lower alcohol (Column 18, line 43 – Column 19, line 3) and humectant (Column 20, lines 31-35), the lower alcohol content thereof being 5-30% by weight (Column 17, lines 62-65),

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the lower alcohol to water weight ratio being between 0.08 and 0.6 (Column 17, lines 62-65), and wherein the ink composition has a viscosity greater than 3 cP (Column 24, line 66 – Column 25, line 6).

With respect to claim 10, Taguchi discloses the ink composition consists essentially of dye (Column 14, lines 21-29), water (Column 36, lines 28-29), lower alcohol (Column 18, line 43 – Column 19, line 3) and humectant (Column 20, lines 31-35).

With respect to claim 11, Taguchi discloses the ink composition consists essentially of dye (Column 14, lines 21-29), water (Column 36, lines 28-29), lower alcohol (Column 18, line 43 – Column 19, line 3) and humectant (Column 20, lines 31-35).

With respect to claim 12, Taguchi discloses the ink composition further comprises an additive selected from the group of surfactants (Column 18, lines 1-18), bactericides and fungicides (Column 20, lines 31-35).

With respect to claim 13, Taguchi discloses the ink composition further comprises one or more additives selected from the group comprising surfactants (Column 18, lines 1-18), bactericides and fungicide (Column 20, lines 31-35).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1 and 8 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey Mruk whose telephone number is 571 272-2810. The examiner can normally be reached on 7am - 330pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on 571 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GSM  
3/1/2007



**STEPHEN MEIER**  
**SUPERVISORY PATENT EXAMINER**